

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SUNLIGHT ELECTRICAL CONTRACTING : CIVIL ACTION
CO., INC. :
: :
v. : :
: :
JOHN J. TURCHI, JR., et al. : NO. 08-5834

ORDER

AND NOW, this 18th day of January, 2013, upon
consideration of plaintiff Sunlight Electrical Contracting Co.,
Inc.'s amended complaint (docket entry # 68), defendants' second
motion for partial summary judgment, and their memorandum in
support thereof (docket entry # 72), plaintiff's response and
brief in opposition thereto (docket entry # 77) defendants'
third party complaint (docket entry # 11), third-party
defendant's motion for summary judgment (docket entry # 73), and
defendants' response in opposition thereto (docket entry # 76),
and third-party defendants' reply thereto (docket entry # 82),
and upon the analysis set forth in the accompanying Memorandum,
it is hereby ORDERED that:

1. Defendants' motion for partial summary judgment
(docket entry # 72) is GRANTED IN PART;

2. Count VI, the sole federal law claim in the Amended Complaint, is DISMISSED WITH PREJUDICE;

3. The remaining claims are DISMISSED WITHOUT PREJUDICE to their reassertion in the Philadelphia Court of Common Pleas¹; and

4. The Clerk shall CLOSE this matter statistically.

BY THE COURT:



Stewart Dalzell, J.

¹ See 28 U.S.C. §§ 1367(c)(3), 1367(d).